



State of Utah

Department of Natural Resources

ROBERT L. MORGAN
Executive Director

Division of Oil, Gas & Mining

LOWELL P. BRAXTON
Division Director

OLENE S. WALKER
Governor

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Lieutenant Governor

December 3, 2004

John Hewitt
Interstate Brick Company
9780 South 5200 West
West Jordan, Utah 84088

Subject: Acceptance of Notice of Intention to Commence Small Mining Operations, Interstate Brick Company, Henefer Landfill Mine, S/043/027, Summit County, Utah

Dear Mr. Hewitt:

Thank you for your Notice of Intention to Commence Small Mining Operations and initial \$150.00 permit application fee, received by the Division on November 12, 2004. The notice was not signed and a map of the site was not provided. The Division could not process the notice until the notice was signed and a map provided. These last two items were received December 2, 2004. The proposed Henefer Landfill Project is located in the SE1/4 of NE1/4 and NE1/4 of SE1/4 of Section 33, T4N, R4E, SLBM, Summit County, Utah.

You requested a variance from any and all reclamation, because the alternative postmining land use proposed for this project will be a landfill for Summit County. Your Notice included documentation of the approved Class IV landfill permit issued to Summit County by the Utah Dept of Environmental Quality and the reclamation surety held by that agency as requested for justification of the land use change. Since another entity is responsible for the reclamation and has posted a reclamation surety with another State agency for the ultimate reclamation of the site, the Division hereby grants your variance request and will not require reclamation (or reclamation surety) from Interstate Brick.

The Division finds your application to remove the clay material and leave the pit for Summit County landfill complete. No additional information is required by this office at this time. You may commence with your mining operations as outlined.

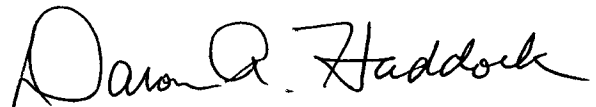
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The acceptance of this notice is for a small mining operation only, **not to exceed 5 acres**. You are not authorized to disturb beyond the 5 acres without first amending your notice and receiving written acceptance from this office. If you wish to expand to a large mine status, approval typically takes up to six to twelve months or longer.

The Utah Mined Land Reclamation Act of 1975 [40-8-7(I)] provides the authority for fee implementation which was approved by the Utah Legislature at its 1998 session. Permit fees will be required until the mining is completed and you are officially released from the Division of any further responsibility at the site.

If you have questions or concerns regarding this letter, please contact me at (801) 538-5325 or Lynn Kunzler at 538-5310. Best wishes with your new mining venture.

Sincerely,

A handwritten signature in black ink that reads "Daron R. Haddock". The signature is fluid and cursive, with the first name "Daron" being more prominent than the last name "Haddock".

Daron R. Haddock
Permit Supervisor
Minerals Regulatory Program

DRH:LK:jb
cc: Jennifer Strader, Summit County Planning
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